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EPA Mid-Atlantic Region Headlines

Friday, May 2, 2014

*** DAILY HOT LIST ***

DNREC's O'Mara to step down

DELAWARE CAPE GAZETTE After five years as the state's top environmentalist, Collin O'Mara is resigning to take the top post at the National Wildlife Federation. In a May 1 press release, the National Wildlife Federation announced that O'Mara, secretary of Delaware Department of Natural Resources and Environmental Control, would take over as president and chief executive office of the organization July 7. "For the past 5 years I have fallen in love with the remarkable natural resources across our state," said O'Mara in a prepared statement. "I'm looking forward to promoting the common-sense solutions that we've advanced in Delaware across the nation to protect wildlife and fishery habitat, expand environmental education and address climate change." When O'Mara, 35, was appointed secretary in 2009, he was the youngest state cabinet official in the nation. Prior to his appointment, O'Mara served as the Clean Tech Strategist for San Jose, Calif. Over the past several years, he has spearheaded a range of initiatives, including Delaware's "No Child Left Inside" Children In Nature campaign, the First State Trails and Pathways Plan and the Delaware Bayshore Initiative. O'Mara championed efforts to improve Cape Region state parks including the soon-to-be completed Gordons Pond Trail in Cape Henlopen State Park, and the new camping facilities in Delaware Seashore State Park on the north and south side of Indian River Inlet. Gov. Jack Markell thanked O'Mara for his work as secretary and wished him luck. "Collin has earned our respect and gratitude for his service to our state, which has been marked by a tireless work ethic and commitment to improving our environment and the health of Delawareans," Markell said in a press release. "Collin's leadership has helped make Delaware a nationally recognized leader in energy and climate-change policies." Brenna Goggin of Delaware Nature Society, the National Wildlife Federation's Delaware affiliate, said the society is committed to fulfilling the vision O'Mara set forth five years ago: providing Delaware with clean water, sustainable energy resources and addressing climate change. She said the society will continue to work with O'Mara in his new job. "We worked closely with him on the Clean Water Initiative, several renewable energy bills, land preservation and open space funding, a myriad of things," Goggin said. In early March, the \$800-million, O'Mara-backed initiative to clean the state's waterways was introduced, but has since gained little legislative support. The initiative, Clean Water for Delaware's Future, includes infrastructure improvements for wastewater, stormwater and drinking water projects throughout the state by instituting a clean water fee.

EPA air standard iffy for W.Va. MCHM cleanup

CHARLESTON GAZETTE Nearly four months after the Elk River leak from Freedom Industries, federal regulators are working on an air-quality standard for the toxic chemical MCHM. It's not clear, though, that the standard and a new MCHM air sampling method will be ready in time to monitor chemical levels during the cleanup of the Freedom site. The U.S. Environmental Protection Agency is devising the "inhalation screening level" and a new sampling method, with both expected to be completed in the next few months, said EPA press secretary Liz Purchia. State officials say the EPA is responding, at least in part, to a request West Virginia made for assistance in responding to the sorts of licorice-odor complaints that came in from local public schools in the weeks after the Jan. 9 leak of the coal-cleaning chemical Crude MCHM from the Freedom operation. However, the EPA also is acting based on a previous West Virginia Department of Environmental Protection request that federal officials come up with a more comprehensive way of monitoring air quality for MCHM during the dismantling of Freedom's chemical storage tanks, and the cleanup of the Elk River site where the leak occurred, state officials said. Kelley Gillenwater, spokeswoman for the DEP, said that whatever the EPA comes up with might be something the DEP can use in the future. "Depending on what their recommendations are, we could, potentially, use the standard and the monitoring methods during the spill site cleanup," Gillenwater said Thursday. DEP officials and investigators from the U.S. Chemical Safety Board have cautioned that the demolition of MCHM storage tanks at the Freedom site could prompt the release of more of the chemical into the air and bring back the licorice-like odors residents became familiar with after the leak. Purchia said the EPA is developing "a health protective inhalation screening level" that may be used, along with information on monitored air concentrations of MCHM, during the site cleanup process "to advise the public when exposure to MCHM is not anticipated to be harmful. "This short-term inhalation screening level for MCHM is not a standard or a regulation," Purchia said. "This level represents a concentration of MCHM in air where it is not anticipated that health effects would occur if someone were exposed to air concentrations below this level."

EPA to gauge safety of inhaling WVa spill chemical

ASSOCIATED PRESS CHARLESTON, W.Va. (AP) — More than 100 days after a chemical spill into 300,000 West Virginians' water source, federal officials are trying to determine at what level people can safely breathe the chemical's fumes. Over the next few months, the Environmental Protection Agency will work on detecting the spilled chemical in air and creating a corresponding safety standard for inhaling it, said agency spokeswoman Liz Purchia. It's the first time federal officials will factor in precautions for more than just consuming the water, which was contaminated in a Jan. 9 spill. EPA twice asked about making a standard for inhaling the chemical — once on the day after the spill, and again in early February. Both times, not enough information was available on the little-known substance, crude MCHM, Centers for Disease Control and Prevention spokeswoman Bernadette Burden said. In the two weeks after the spill, people showed up at emergency rooms with ailments after drinking the chemical-tainted water. Patients also experienced health problems after bathing, showering and washing their hands with it. And they expressed concerns after breathing in the licorice chemical scent, such as when taking a shower. State environmental regulators could use the new air monitoring method in a variety of settings: at the Freedom Industries spill site during cleanup; for odor

complaints at homes or businesses near MCHM facilities; or at coal prep plants that use the coal-cleaning agent, said state Department of Environmental Protection spokeswoman Kelley Gillenwater. Over the next few months, the Environmental Protection Agency will work on detecting the spilled chemical in air and creating a corresponding safety standard for inhaling it, said agency spokeswoman Liz Purchia. It's the first time federal officials will factor in precautions for more than just consuming the water, which was contaminated in a Jan. 9 spill. EPA twice asked about making a standard for inhaling the chemical — once on the day after the spill, and again in early February. Both times, not enough information was available on the little-known substance, crude MCHM, Centers for Disease Control and Prevention spokeswoman Bernadette Burden said.

Spill's effect on James River seen as minimal

RICHMOND TIMES-DISPATCH Concerns have eased over the potential threat of a crude oil spill in Lynchburg to public water supplies in the Richmond area and the ecology of the James River. State officials lowered the estimated loss of oil from the rail tanker cars that derailed Wednesday to 20,000 to 25,000 gallons, or half of the amount originally believed to have poured into the river or burned into the atmosphere from three tanker cars that tumbled into the James in downtown Lynchburg. “Local, state and federal entities are monitoring and sampling the James River for any impacts, and Virginia’s drinking water continues to be safe,” Gov. Terry McAuliffe said in a statement Thursday evening. Utility officials in Richmond and Henrico County continue to test water quality in the James, on which they rely for public drinking water, but no sign of oil had turned up on the rain-swollen river here by early Thursday evening. “There’s no visible sheen and nothing in the chemical tests,” said Robert C. Steidel, director of public utilities in Richmond. “We’re testing normal and the water’s safe to drink. “It’s kind of a non-event right now,” Steidel said. In Lynchburg, the National Transportation Safety Board promised answers on the probable cause and lessons of the derailment of the CSX train carrying 105 tanker cars of crude oil from shale fields in North Dakota to Yorktown.

Editorial: The Supreme Court makes the right call on a Clean Air Act provision

WASHINGTON POST THE SUPREME Court considered two cases this term in which somewhat unclear wording in the federal Clean Air Act left sensible environmental rules open to challenge. On Tuesday, in the first case, the justices rightly sided with the sensible rules. In *Environmental Protection Agency v. EME Homer City Generation L.P.*, a 6-to-2 majority upheld EPA rules designed to stop groups of states from contributing harmful ozone and particulate air pollution to downwind neighbors. The agency’s “Good Neighbor” provision comes directly from the Clean Air Act, which obliges states to limit emissions that “contribute significantly” to pollution problems elsewhere. The EPA has been trying to apply that language for two decades. Its latest attempt, dating to 2011, divvies up required emissions reductions among states based on the amount each pollutes and on the cost each would have to pay to cut cross-border emissions. No state, then, would incur unnecessary and excessive costs. The EPA, in other words, sensibly figured that a polluter’s emissions are “significant” to regulators inasmuch as they are solvable. That approach, Justice Ruth Bader Ginsburg wrote in the majority opinion, “is an efficient and equitable solution.” It is efficient, she explained, because the government can get its emissions

reductions “at a much lower overall cost” than from alternatives. It is equitable because the “EPA’s rule subjects to stricter regulation those states that have done less in the past to control their pollution.” A proposed alternative, Justice Ginsburg explained, relies on “a method that works neither mathematically nor in practical application.”

The Seismic Link Between Fracking and Earthquakes

TIME MAGAZINE New research indicates that wastewater disposal wells—and sometimes fracking itself—can induce earthquakes.v Ohio regulators did something last month that had never been done before: they drew a tentative link between shale gas fracking and an increase in local earthquakes. As fracking has grown in the U.S., so have the number of earthquakes—there were more than 100 recorded quakes of magnitude 3.0 or larger each year between 2010 and 2013, compared to an average of 21 per year over the preceding three decades. That includes a sudden increase in seismic activity in usually calm states like Kansas, Oklahoma and Ohio—states that have also seen a rapid increase in oil and gas development. Shale gas and oil development is still growing rapidly—more than eightfold between 2007 and 2012—but if fracking and drilling can lead to dangerous quakes, America’s homegrown energy revolution might be in for an early end.vBut seismologists are only now beginning to grapple with the connection between oil and gas development and earthquakes. New research being presented at the annual meeting of the Seismological Society of America this week shows that wastewater disposal wells—deep holes drilled to hold hundreds of millions of gallons of fluid produced by oil and gas wells—may be changing the stress on existing faults, inducing earthquakes that wouldn’t have happened otherwise. Those quakes can occur tens of miles away from the wells themselves, further than scientists had previously believed. And they can be large as well—researchers have now linked two quakes in 2011 with a magnitude greater than 5.0 to wastewater wells.

DEP to inspect Mt. Pleasant impoundment

WASHINGTON OBSERVER-REPORTER (Pa.) The state Department of Environmental Protection will today be inspecting the site of a Marcellus Shale water impoundment in Mt. Pleasant Township, owned by Range Resources, for potential soil contamination. The DEP received calls from concerned residents who saw a residual waste container on the site that had “radioactive” written on the side. The tracking number on that container is listed on DEP’s website as being used for “one-way shipment of wastes determined to contain radioactive material or contamination.” Carter impoundment is a facility that holds recycled water used in the hydraulic fracturing process. John Poister, spokesman for the DEP, said an inspector went to the site Thursday to take samples of soil inside an apparatus called a weir, which allows solids to settle as water flows into the impoundment. Poister said the test results to “characterize” the soil have not come back yet. “We don’t know what we’re dealing with yet,” Poister said. Naturally occurring radioactive material is contained in rock formations and can be released through the drilling process in drill cuttings and flowback water. Present data does not indicate any health risks, but the DEP has undertaken a comprehensive study to examine the radiation levels. If a contaminant is found, Poister said Range Resources will have to determine the best means of disposal. Range Resources spokesman Matt Pitzarella could not immediately be reached for comment Thursday.

Editorial: 'Good neighbors' don't duck their responsibilities

WILMINGTON NEWS JOURNAL No one controls the wind, Supreme Court Justice Ruth Bader Ginsburg said in an opinion this week. And that, she added, is the problem when it comes to pollution in the air. "In crafting a solution to the problem of interstate air pollution, regulators must account for the vagaries of the wind," she read from her majority opinion in a ruling that upheld the Environmental Protection Agency's duty to parcel out responsibility to clean toxic pollutants out of the air. The result will be cleaner air for Delaware. The EPA, acting under the direction of Congress, had devised rules to protect downwind states, like Delaware, from coal-fired plants in the Midwest. The EPA's charge was to create a "good neighbor" policy. The policy was challenged and overturned in a lower court. This week the Supreme Court backed the EPA and ruled that we have to be good neighbors, whether we want to be or not. The upshot is that Midwestern states must require power plants to put scrubbers on their burners to prevent toxins from coming our way. The scrubbers are an added expense, of course. Many businesses claim the cost is too great. Other critics say the government is overreaching. That is fine for them to say. Their pollution floats away on the wind. It comes our way, interacts with other pollutants, fouls the air here and presents a health hazard for Delawareans. Delaware cleaned up its pollutants years ago. Why can't the states farther west? For one thing, the wind helps keep their air clean. The same wind fouls ours. The court's ruling was not unanimous, of course. That rarely happens anymore. The split, 6-2, with one justice recusing himself, was along the lines of "good neighbor" versus "encroaching big government." Justice Antonin Scalia, writing for the minority, said with cases like this the American people are learning "they are governed not so much by their elected representatives as by an unelected bureaucracy operating under vague statutory standards." Justice Scalia forgets that Congress – the elected representatives – directed the EPA to make these rules. He also neglects to explain the harm the upwind polluters are doing to the downwind states. In reality it was more like "responsibility" versus "irresponsibility." The attitude upwind was akin to "that's no longer our problem." That is not right. We are certain they would be screaming for help if the wind changed directions and blew steadily toward them. Of course, Delaware had already cleaned up that sort of pollution. It is time those states do. If the Midwestern coal plants had started to move toward cleaning up their pollution and taking responsibility for what they were doing to the environment, the courts never would have become involved. Controlling pollution is not a new concept. We recognize we live in a finite world. We simply cannot chew up resources and pass the waste along. Controlling pollution is now a cost of doing business. It is time everyone recognizes that.

PENNSYLVANIA

PHILADELPHIA INQUIRER

SEPTA, rail engineers declared at impasse SEPTA's Regional Rail engineers moved a step closer to being able to strike early next year, after the National Mediation Board on Thursday ended its efforts to broker an agreement. The board on Thursday declared an impasse in negotiations and suggested the two sides submit their long-running dispute to binding arbitration. The 220 engineers, represented by the Brotherhood of Locomotive Engineers and Trainmen, said they would accept arbitration, but SEPTA will not, spokeswoman Jerri Williams said. The next step,

under federal railroad labor laws, will be for the mediation board to release the parties from mediation. That would start a 30-day "cooling off" period and a 240-day dispute-resolution period required before a strike or lockout would be permitted. That period would expire in January, assuming that a presidential board is created promptly to investigate the long-running contract dispute. Engineers have been without a new contract since 2010. The engineers last went on strike against SEPTA for 108 days in 1983, after the transit agency took over operation of the Regional Rail system from Conrail. If they were to strike in concert with bus drivers and subway operators, it could create the first-ever shutdown of SEPTA's entire transit system: buses, subways, trolleys, and trains.

PITTSBURGH POST-GAZETTE

Pittsburgh region still gets poor marks for air pollution (Wednesday) The American Lung Association's annual air quality report shows a mixed bag, with the Pittsburgh region's air still bad but noticeably improving, although unhealthy, ground-level ozone increased. The "State of the Air 2014" document, released today shows that levels of fine particle pollution, or soot, in the Pittsburgh metropolitan area and statewide were at their lowest levels since the national clean air advocacy organization began compiling air quality data 15 years ago. Air quality improved due to the switch of some coal-burning power plants to natural gas and newer, cleaner-burning diesel engines comprising a larger percentage of the on-road vehicle fleet, said the report, which is based on the latest U.S. Environmental Protection Agency data from 2010 through 2012. "We do recognize that some of the numbers in this report are the best ever recorded since 2000. There is no question that progress is being made," said Kevin Stewart, the Lung Association's director of environmental health. "We can't say that about ozone but we can for particle pollution." Despite the overall air quality improvement, the Pittsburgh-New Castle-Weirton region's ranking for fine particle pollution levels fell from eighth worst in last year's report to sixth worse this year, and it again failed to meet national air quality standards for fine particle pollution, the report said.

Allegheny County Council OKs vote on Deer Lakes drilling Members of Allegheny County Council will decide next week whether to allow nonsurface gas drilling to take place beneath Deer Lakes Park. Their vote will come less than two months after county Executive Rich Fitzgerald unveiled the proposed deal with Range Resources to drill beneath the county-owned park in Frazer and West Deer, and following many hours of public comment and discussion in meetings of council's parks committee. The final meeting of the parks committee -- set to discuss economic factors -- came to a quick conclusion Wednesday night, with committee members voting 4-1 to amend the proposed Deer Lakes Park ordinance, and then voting again 4-1 to recommend the amended ordinance to the full council, less than an hour after the meeting began.

Another meeting held before Deer Lakes vote Allegheny County Councilwoman Sue Means said she was "disappointed" by the speaker lineup for the parks committee's discussion of the Deer Lakes Park proposal. So Thursday night, the Bethel Park Republican held her own meeting in the Downtown Allegheny County Courthouse. She called on speakers including Susan Packard LeGros, executive director of the Center for Sustainable Shale Development; John Stolz, director of the Center for Environmental Research at Duquesne University; and John Smith and Jonathan Kamin, attorneys who represented the municipalities who challenged Pennsylvania's Act 13 law.

It was a panel of speakers far less friendly to natural gas development than council members have heard from at the three parks committee meetings held in the past three weeks. Those meetings, which covered environmental and safety factors, legal questions and economic factors, included speakers representing parties ranging from Range Resources and Huntley & Huntley to the Pennsylvania Department of Environmental Resources and county officials. The final meeting of the parks committee Wednesday night ended with a vote recommending an amended Deer Lakes drilling ordinance to the full council. Ms. Means said the purpose of her meeting Thursday was "just to gather information so we can make a more informed decision." More than 30 members of the public attended, many of them wearing the green scarves that have come to mark the members of the Protect Our Parks group. Council members Tom Baker, R-Ross, Barbara Daly Danko, D-Regent Square, Bill Robinson, D-Hill District, and Ed Kress, R-Shaler, were present for part of the meeting.

PITTSBURGH TRIBUNE REVIEW

Companies hold open house prior to vote on Deer Lakes Park drilling Loretta Dillner leased her land in West Deer for natural gas drilling a year ago, but wanted to learn more about it. "I was interested in knowing what the plans are for drilling," she said. "I was curious about when they're going to drill." Dillner was among several residents who had more questions about their own properties and leases than with two companies' plans for extracting natural gas from underneath Deer Lakes Park. The companies, Range Resources and Huntley & Huntley, hosted an informational open house on Marcellus shale natural gas drilling at the West Deer Volunteer Fire Department No. 1 on Thursday night. The open house was held just days before Allegheny County Council is expected to vote to allow drilling under the park, which would be done from rigs outside the park on land leased in neighboring Frazer. At the fire hall, the companies had stations set up to explain the various elements of their operations. Residents were able to talk directly with engineers, geologists, biologists, land agents and attorneys, said Matt Pitzarella, a spokesman for Range Resources. The drilling would be 6,000 to 7,000 feet under Deer Lakes Park, with no drilling facilities on park land, said John Applegath, vice president of Range Resource's southern Marcellus shale division. "We're not as close as the coal mines by a long shot," he said. Although the companies, and their wells, have been in the area for some time, awareness of them has risen because of the park proposal, Pitzarella said. "People would be surprised how active we've been out here," Pitzarella said. "People just rarely notice it. It blends in."

STATE IMPACT PENNSYLVANIA

Controversial pipeline case raises questions about PUC chair's industry ties In West Goshen, Chester County, many residents don't see how a proposal for an industrial pump station in a residential neighborhood will benefit them or their township. The pump station is part of an intricate plan to move natural gas liquids, ethane and propane, through a pipeline from the Marcellus Shale in western Pennsylvania to the revamped industrial complex in Marcus Hook. Until recently, the plan was to ship most of the ethane overseas, with only the possibility of propane distribution to local markets. "Safety and health are the biggest concerns," West Goshen resident Allen Feinberg said. "Other concerns are depreciation of quality of life, increased pollution in the area." Another Chester County resident sees things differently. Rob Powelson was appointed to the Public Utility Commission in 2008 after serving as president of the county Chamber of Commerce. Powelson became chair of the commission in early 2011, just

as the Marcellus Shale boom was exploding. In an interview with StateImpact Pennsylvania in January, Powelson endorsed the project, known as the Mariner East pipeline. “We have this opportunity to move product to the eastern seaboard versus moving those products to Texas and Louisiana,” he said. “That’s a real game changer for the region going forward.”

ALLENTOWN MORNING CALL

Letter: Pa. gubernatorial candidates should endorse fracking moratorium At its June 2013 state committee meeting in Lancaster, the Democratic Party of Pennsylvania voted to support a statewide moratorium on the practice of hydraulic fracturing until it can be done safely. Since that vote was taken about a year ago, much evidence has surfaced confirming that such caution is in the best interest of all Pennsylvanians. New data show the potential for accelerated climate change due to massive quantities of the potent greenhouse gas methane released into the atmosphere during the extraction and processing of natural gas, as well as the devastating impact of fracking on local economies dependent on revenues from tourism, outdoor recreation and dairy farming. Sadly, to date none of the four surviving Democratic Party candidates for governor has demonstrated a willingness to uphold the party position by pledging to declare a statewide moratorium on fracking should he or she win in November. With only a few weeks left before the primary on May 20, voters still have an opportunity to influence the outcome of the election by demanding candidates address these issues and promise to do what is best for the health, safety and prosperity of their constituents, not the special interests._

WKOK NEWS RADIO - SUNBURY

Susquehanna River Cleanup postponed SUNBURY — The Susquehanna River Cleanup Project that was slated to take place this weekend has been postponed to May 10. According to founder Zach Stotter, the rainy conditions have caused the river to rise, and for safety reasons it was decided to push the cleanup back a week. Emergency Services prefer that people stay away from the river when it is high, cold or muddy — as it is expected to be this weekend. The Susquehanna River Cleanup Project will take place May 10 with the regular schedule of events, including entertainment. Volunteers are still needed. You can find more details about the cleanup at www.SusquehannaCleanup.com. Stotter was a guest on WKOK Sunrise Tuesday. You can hear more of his remarks about the project [here](#).

LANSDALE REPORTER

Upper Gwynedd recap: \$2 million grant for sewer connection now in hand UPPER GWYNEDD — Upper Gwynedd’s reserve funds are now \$2 million larger, now that the township has received grant money to reimburse spending on a project that connected North Wales Borough to Upper Gwynedd’s wastewater treatment plant last year. “That money hit our bank account last week, and we’re very proud of that,” said township Manager Len Perrone. According to Perrone and to Reporter archives, the grant award received last week was originally announced in 2011 to cover the costs of a project that was in the planning stages as far back as 2009. Roughly 430,000 gallons of wastewater each day that had gone to the North Wales plant is now being processed at the Upper Gwynedd plant, which can handle roughly 4.5 million gallons per day of sewage and also serves parts of Worcester, Whitpain, Lower Gwynedd and Montgomery townships. The North Wales plant was decommissioned last fall and is now a grassy field in the area of Elm Street, Perrone said.

NEW CASTLE NEWS

Our Opinion: Decision to suspend project may have local benefit NEW CASTLE — There will be one fewer shale gas pipeline passing through Lawrence County. At least for the time being. Backers of the proposed Bluegrass Pipeline said they are suspending activity on the project for now, although they left open the possibility they could revisit it in the future. The reason for the suspension was attributed to a lack of commitments from local gas producers to use the pipeline, which would move shale gas and liquids from this region to Kentucky, where it would then be added to an existing line running to the Gulf Coast for processing. So what does the decision on the Bluegrass Pipeline mean for the local shale gas industry? We're not completely sure. It's worth noting, however, that Williams/Bluegrass Pipeline, the backers of the effort, described it as a project that was apparently "ahead of its time." They suggested the expanding production of shale gas in this region, which includes Pennsylvania, Ohio and West Virginia, will require such a pipeline at some point in the future. The implication is that shale gas production within the region remains in its infancy. Interestingly, they said producers in the region were, for now, primarily focused on unspecified "local solutions," indicating the gas would be used closer to home. We view that as encouraging, because shale gas in its various forms has far more economic potential than merely heating homes and buildings. It can be used to generate electricity or it can be processed like crude oil into a variety of products. From an economic standpoint, there is a greater benefit to keeping the gas in this region for use, rather than shipping it elsewhere. This would mean the industries requiring the gas would be built locally and thus provide more jobs.

WASHINGTON OBSERVER-REPORTER

DEP to inspect Mt. Pleasant impoundment The state Department of Environmental Protection will today be inspecting the site of a Marcellus Shale water impoundment in Mt. Pleasant Township, owned by Range Resources, for potential soil contamination. The DEP received calls from concerned residents who saw a residual waste container on the site that had "radioactive" written on the side. The tracking number on that container is listed on DEP's website as being used for "one-way shipment of wastes determined to contain radioactive material or contamination." Carter impoundment is a facility that holds recycled water used in the hydraulic fracturing process. John Poister, spokesman for the DEP, said an inspector went to the site Thursday to take samples of soil inside an apparatus called a weir, which allows solids to settle as water flows into the impoundment. Poister said the test results to "characterize" the soil have not come back yet. "We don't know what we're dealing with yet," Poister said. Naturally occurring radioactive material is contained in rock formations and can be released through the drilling process in drill cuttings and flowback water. Present data does not indicate any health risks, but the DEP has undertaken a comprehensive study to examine the radiation levels. If a contaminant is found, Poister said Range Resources will have to determine the best means of disposal. Range Resources spokesman Matt Pitzarella could not immediately be reached for comment Thursday.

Court ruling postponed in Sunoco Pipeline case The exit of an attorney representing Sunoco Pipeline in a complicated legal battle in Washington County Court has stalled a ruling as to whether the company can impose eminent domain power for easements to construct a Marcellus Shale pipeline. The new attorney, Alice Johnston of Obermayer, Rebmann, Maxwell & Hippel in Pittsburgh, was given until May 23 to catch up on the case in a ruling from the bench Wednesday

by Judge Katherine B. Emery, the attorney for the defendants said. "I disagreed," said Michael Faherty, a Harrisburg attorney representing Ron and Sallie Cox of Chartiers Township in the case. Johnston replaces Kandice Hull, who works for the same law firm that withdrew Wednesday from a high-profile case Sunoco has before the Public Utility Commission one day after a news report about its close connections to both the PUC and gas industry. StateImpact Pennsylvania reported Wednesday the law firm of McNees, Wallace and Nurick of Harrisburg represented energy companies before the PUC and has worked as counsel to the PUC on oil and gas zoning matters. Sunoco is asking the PUC to be classified as a public utility corporation, a ruling that, if it wins, could allow the company to one day use eminent domain power to construct interstate pipelines, Faherty said. He said the PUC denied Sunoco's request for a quick ruling on its appeal, and likely will hold hearings before it makes a decision. "I doubt it would be decided as quickly as Sunoco would like," Faherty said Thursday. Jeff Shields, communications manager for Sunoco in Philadelphia, said the company does not comment on "its choice of legal counsel." McNees spokeswoman Vikki Grodner did not return messages Thursday.

WILKES-BARRE CITIZENS VOICE

State DEP will continue to monitor natural gas dehydration facility after three incidents The state Department of Environmental Protection will continue to monitor the Chapin natural gas dehydration facility in Monroe Township, the agency's director wrote in a letter to a local state legislator. State Rep. Karen Boback, R-Harveys Lake, wrote to DEP Secretary E. Christopher Abruzzo on April 10 to ask for an investigation into and inspection of the facility off state Route 309, just across the Luzerne County border. Abruzzo wrote back on Monday to assure the three recent incidents that prompted Boback's concern had been investigated. Regency Energy Partners LP, which owns the station, and Williams, which owns the Transco interstate pipeline the gas goes into and the equipment to put the odorant in the gas at the Chapin station, "are addressing the incidents and taking steps to minimize and prevent similar events from occurring in the future," Abruzzo wrote. "To ensure this remains the case, DEP personnel will continue to closely monitor and inspect activities at the Chapin Facility." The facility uses glycol to remove moisture from natural gas piped in from wells in Susquehanna County. Odorant called mercaptan is added to the gas at the facility to give it its characteristic smell before it is piped to the Transco pipeline and on to market. The first of the three incidents, on April 6, occurred when a fire tube in one of the reboilers - which heat the glycol to release the water - developed a crack, allowing glycol to leak into the fire chamber and burn, creating smoke. Regency has taken steps to address issues with cracked fire tubes in both reboilers, Abruzzo stated. The second incident, on April 7, occurred when the thermal oxidizer, which burns off waste, shut down, causing a visible flame from the top of the stack. The company is resolving the issue, which involves a valve malfunction. The third incident occurred when residents near the facility smelled natural gas on the night of April 8 and called emergency services. The smell came from leaving the odorant building open while Williams employees were performing a routine mercaptan tank changeover. DEP met with Regency staff at the site on April 15 for an investigation, determining the three incidents were unrelated and that the companies were addressing them, Abruzzo wrote.

WASHINGTON, D.C.

WASHINGTON POST

Editorial: The Supreme Court makes the right call on a Clean Air Act provision THE SUPREME Court considered two cases this term in which somewhat unclear wording in the federal Clean Air Act left sensible environmental rules open to challenge. On Tuesday, in the first case, the justices rightly sided with the sensible rules. In *Environmental Protection Agency v. EME Homer City Generation L.P.*, a 6-to-2 majority upheld EPA rules designed to stop groups of states from contributing harmful ozone and particulate air pollution to downwind neighbors. The agency's "Good Neighbor" provision comes directly from the Clean Air Act, which obliges states to limit emissions that "contribute significantly" to pollution problems elsewhere. The EPA has been trying to apply that language for two decades. Its latest attempt, dating to 2011, divvies up required emissions reductions among states based on the amount each pollutes and on the cost each would have to pay to cut cross-border emissions. No state, then, would incur unnecessary and excessive costs. The EPA, in other words, sensibly figured that a polluter's emissions are "significant" to regulators inasmuch as they are solvable. That approach, Justice Ruth Bader Ginsburg wrote in the majority opinion, "is an efficient and equitable solution." It is efficient, she explained, because the government can get its emissions reductions "at a much lower overall cost" than from alternatives. It is equitable because the "EPA's rule subjects to stricter regulation those states that have done less in the past to control their pollution." A proposed alternative, Justice Ginsburg explained, relies on "a method that works neither mathematically nor in practical application."

Two federal employees disciplined for bashing Obama and Romney at work A former Federal Elections Commission employee and an Air Force civilian admitted to engaging in prohibited political activities on the job, including criticizing the 2012 presidential nominees, according to the U.S. Office of Special Counsel. The former FEC employee admitted to criticizing the Republican party and its last presidential nominee, Mitt Romney, during a live Internet broadcast on the Huffington Post Web site, in addition to posting dozens of partisan political tweets and soliciting campaign contributions to President Obama's 2012 reelection campaign. The employee has resigned and will not be allowed to work for the federal government for two years, the OSC said in an announcement. The Air Force civilian worker has been suspended for 40 days without pay for sending e-mails opposing Obama and the Democratic party in the months leading up to the 2012 election. The messages were addressed to dozens of colleagues and sent from the employee's work account while on duty, and the e-mails continued even after co-workers complained and supervisors warned the employee to stop, according to the OSC.

DELAWARE

WILMINGTON NEWS JOURNAL

O'Mara to take National Wildlife Foundation job Delaware environmental chief Collin O'Mara has one big item to take care of before he leaves his job in Gov. Jack Markell's cabinet this summer to run the National Wildlife Federation. "I won't be starting until July, after session, because it's still critically important that we make progress on the water package," O'Mara said

Thursday morning when pressed about word of his coming departure. "Given that a third of the state right now is flooded out, there's no more important day to be talking about the water initiative." O'Mara, in an interview Thursday, made it clear that he planned to work to the very end of the General Assembly session for passage of Markell's Clean Water tax proposal. The initiative includes a statewide assessment on property, piggybacked on property tax bills, that would average about \$45 for most residents to finance investments in wastewater, stormwater management, drinking water protection and waterway cleanup projects. Delaware environmental chief Collin O'Mara has one big item to take care of before he leaves his job in Gov. Jack Markell's cabinet this summer to run the National Wildlife Federation. "I won't be starting until July, after session, because it's still critically important that we make progress on the water package," O'Mara said Thursday morning when pressed about word of his coming departure. "Given that a third of the state right now is flooded out, there's no more important day to be talking about the water initiative." O'Mara, in an interview Thursday, made it clear that he planned to work to the very end of the General Assembly session for passage of Markell's Clean Water tax proposal. The initiative includes a statewide assessment on property, piggybacked on property tax bills, that would average about \$45 for most residents to finance investments in wastewater, stormwater management, drinking water protection and waterway cleanup projects. The news of O'Mara's move rippled out in emails and phone calls soon after The National Wildlife Federation held its annual gala at the Renaissance Washington Hotel in the nation's capital on Wednesday. The event's headliner was former President Bill Clinton, who was honored during the event. O'Mara's selection as the group's new president and chief executive was discussed openly at the gathering, and forced O'Mara to announce his departure plans a little sooner than planned after The News Journal contacted him. O'Mara said he was approached by an executive recruiter to consider the top job with the Reston, Va.-based foundation, replacing retiring president Larry Schweiger. But he also said that the foundation's expansive mission and goals for conservation, wildlife protection, public education along with its No Child Left Inside" efforts fit with his own. "I was not looking for anything. I love being here. I think that I have the best job in the state," O'Mara said. "I can't imagine leaving for any other position other than the National Wildlife Federation." In a statement released Thursday, Markell said O'Mara's tenure had been marked by a "commitment to improving our environment and the health of Delawareans." _

Editorial: 'Good neighbors' don't duck their responsibilities No one controls the wind, Supreme Court Justice Ruth Bader Ginsburg said in an opinion this week. And that, she added, is the problem when it comes to pollution in the air. "In crafting a solution to the problem of interstate air pollution, regulators must account for the vagaries of the wind," she read from her majority opinion in a ruling that upheld the Environmental Protection Agency's duty to parcel out responsibility to clean toxic pollutants out of the air. The result will be cleaner air for Delaware. The EPA, acting under the direction of Congress, had devised rules to protect downwind states, like Delaware, from coal-fired plants in the Midwest. The EPA's charge was to create a "good neighbor" policy. The policy was challenged and overturned in a lower court. This week the Supreme Court backed the EPA and ruled that we have to be good neighbors, whether we want to be or not. The upshot is that Midwestern states must require power plants to put scrubbers on their burners to prevent toxins from coming our way. The scrubbers are an added expense, of course. Many businesses claim the cost is too great. Other critics say the government is overreaching. That is fine for them to say. Their pollution floats away on the wind. It comes our

way, interacts with other pollutants, fouls the air here and presents a health hazard for Delawareans. Delaware cleaned up its pollutants years ago. Why can't the states farther west? For one thing, the wind helps keep their air clean. The same wind fouls ours. The court's ruling was not unanimous, of course. That rarely happens anymore. The split, 6-2, with one justice recusing himself, was along the lines of "good neighbor" versus "encroaching big government." Justice Antonin Scalia, writing for the minority, said with cases like this the American people are learning "they are governed not so much by their elected representatives as by an unelected bureaucracy operating under vague statutory standards." Justice Scalia forgets that Congress – the elected representatives – directed the EPA to make these rules. He also neglects to explain the harm the upwind polluters are doing to the downwind states. In reality it was more like "responsibility" versus "irresponsibility." The attitude upwind was akin to "that's no longer our problem." That is not right. We are certain they would be screaming for help if the wind changed directions and blew steadily toward them. Of course, Delaware had already cleaned up that sort of pollution. It is time those states do. If the Midwestern coal plans had started to move toward cleaning up their pollution and taking responsibility for what they were doing to the environment, the courts never would have become involved. Controlling pollution is not a new concept. We recognize we live in a finite world. We simply cannot chew up resources and pass the waste along. Controlling pollution is now a cost of doing business. It is time everyone recognizes that.

DELAWARE CAPE GAZETTE

DNREC's O'Mara to step down After five years as the state's top environmentalist, Collin O'Mara is resigning to take the top post at the National Wildlife Federation. In a May 1 press release, the National Wildlife Federation announced that O'Mara, secretary of Delaware Department of Natural Resources and Environmental Control, would take over as president and chief executive office of the organization July 7. "For the past 5 years I have fallen in love with the remarkable natural resources across our state," said O'Mara in a prepared statement. "I'm looking forward to promoting the common-sense solutions that we've advanced in Delaware across the nation to protect wildlife and fishery habitat, expand environmental education and address climate change." When O'Mara, 35, was appointed secretary in 2009, he was the youngest state cabinet official in the nation. Prior to his appointment, O'Mara served as the Clean Tech Strategist for San Jose, Calif. Over the past several years, he has spearheaded a range of initiatives, including Delaware's "No Child Left Inside" Children In Nature campaign, the First State Trails and Pathways Plan and the Delaware Bayshore Initiative. O'Mara championed efforts to improve Cape Region state parks including the soon-to-be completed Gordons Pond Trail in Cape Henlopen State Park, and the new camping facilities in Delaware Seashore State Park on the north and south side of Indian River Inlet. Gov. Jack Markell thanked O'Mara for his work as secretary and wished him luck. "Collin has earned our respect and gratitude for his service to our state, which has been marked by a tireless work ethic and commitment to improving our environment and the health of Delawareans," Markell said in a press release. "Collin's leadership has helped make Delaware a nationally recognized leader in energy and climate-change policies." Brenna Goggin of Delaware Nature Society, the National Wildlife Federation's Delaware affiliate, said the society is committed to fulfilling the vision O'Mara set forth five years ago: providing Delaware with clean water, sustainable energy resources and addressing climate change. She said the society will continue to work with O'Mara in his new job. "We worked closely with him on the Clean Water Initiative, several renewable energy bills,

land preservation and open space funding, a myriad of things," Goggin said. In early March, the \$800-million, O'Mara-backed initiative to clean the state's waterways was introduced, but has since gained little legislative support. The initiative, Clean Water for Delaware's Future, includes infrastructure improvements for wastewater, stormwater and drinking water projects throughout the state by instituting a clean water fee.

WHYY NEWSWORKS

Delaware environmental secretary resigns After five years leading Delaware's Dept. of Natural Resources and Environmental Control, Collin O'Mara has resigned to become director of the National Wildlife Federation. State officials confirmed on Thursday that Secretary O'Mara will leave DNREC in July to become president and CEO of the NWF, which is based in Reston, Va. "For the past 5 years I have fallen in love with the remarkable natural resources across our state," O'Mara said in a statement. "I'm looking forward to promoting the common-sense solutions that we've advanced in Delaware across the nation to protect wildlife and fishery habitat, expand environmental education and address climate change." The NWF made the announcement during its conservation awards gala on Wednesday night. Deborah Spalding, chair of the NWF board of directors, described O'Mara as a "tireless leader with a deep understanding of conservation issues." He succeeds Larry Schweiger, who will retire from the NWF in May after a decade-long tenure. According to state officials, O'Mara will continue to live in Wilmington after assuming his new post. "The National Wildlife Federation has a proud legacy of bringing diverse groups together to protect wildlife, advancing landscape scale conservation, expanding environmental education, promoting outdoor recreation ... and driving meaningful policy change at every level of government," O'Mara said. "I look forward to building upon Larry [Schweiger's] inspiring work as we do our generation's part to leave a healthier and more sustainable planet for all wildlife and future generations." O'Mara is credited with being the driving force in Gov. Jack Markell's landmark universal recycling legislation, with strengthening the state's renewable portfolio and with leading the largest investment in environmental infrastructure in Delaware's history.

DOVER POST

DNREC secretary to resign to head National Wildlife Federation Dover, Del.-- DNREC Secretary Collin O'Mara will leave his post in Delaware in July to become president and CEO of the National Wildlife Federation. O'Mara joined Gov. Jack Markell's cabinet in 2009. Collin has earned our respect and gratitude for his service to our state, which has been marked by a tireless work ethic and commitment to improving our environment and the health of Delawareans," Markell said. "When he moves on in July, he will leave a strong and capable team prepared to build on a legacy of remarkable improvements to the quality of life in our state, including huge reductions in air pollution and impressive upgrades in our ability to deal with major storms. Sen. Tom Carper, (D-Del.) also lauded O'Mara's work, saying the secretary has made Delaware a respected entity in environmental causes. "Delaware's loss is the nation's gain as he continues his passion for protecting the environment at the National Wildlife Federation," Carper said. "I wish him the best of luck and look forward to working with him in this new role." The announcement came only five hours after addressing the Walkable Bikeable Delaware Summit, where it was revealed Delaware has been named the No. 4 most bicycle-friendly state in the nation. O'Mara had intended to break the news to DNREC employees via a 1:30 p.m. conference call, but word of his hiring was broadcast first on the NWF website following the

organization's Conservation Achievement Awards gala. According to the site, O'Mara is scheduled to take over on July 7, although the secretary did not confirm that date in during his conference call. O'Mara told those listening in that he'd thought long and hard about the job before deciding to take it. The NWF's work dovetails neatly with DNREC's mission. "The work that we're doing is seen as a model in many ways I think they want to see replicated in other parts of the country," O'Mara said. He did give the NWF's directors a few conditions, including that he not leave until the end of the current Delaware General Assembly session, where several DNREC initiatives are pending and that he be allowed to remain in Delaware. "I've actually fallen in love with every inch of this state over the past five years," he said. The greatest honor of his professional life has been working with the DNREC staff, O'Mara added. "The talent in this agency is remarkable," he said.

WDDE- DELAWARE'S NPR STATION

DNREC Sec. O'Mara leaving Gov. Markell's cabinet DNREC Secretary Collin O'Mara will step down this summer to head the National Wildlife Federation. O'Mara joined Gov. Jack Markell's (D-Delaware) Cabinet in 2009 after working for the city of San Jose, California where he promoted environmentally sustainable economic development practices. At the time, he was the youngest cabinet official in the country. Gov. Markell said in a statement he is "sad to see him leave the administration," but praised O'Mara's track record leading DNREC. "When he moves on in July, he will leave a strong and capable team prepared to build on a legacy of remarkable improvements to the quality of life in our state, including huge reductions in air pollution and impressive upgrades in our ability to deal with major storms," read Markell's statement. "Collin's leadership has helped make Delaware a nationally recognized leader in energy and climate change policies." During his tenure at DNREC, O'Mara also oversaw the implementation of a statewide recycling program, promoted efforts to fight childhood obesity and expanded Delaware's trails and bike paths network.

WEST VIRGINIA

CHARLESTON GAZETTE

EPA air standard iffy for W.Va. MCHM cleanup Nearly four months after the Elk River leak from Freedom Industries, federal regulators are working on an air-quality standard for the toxic chemical MCHM. It's not clear, though, that the standard and a new MCHM air sampling method will be ready in time to monitor chemical levels during the cleanup of the Freedom site. The U.S. Environmental Protection Agency is devising the "inhalation screening level" and a new sampling method, with both expected to be completed in the next few months, said EPA press secretary Liz Purchia. State officials say the EPA is responding, at least in part, to a request West Virginia made for assistance in responding to the sorts of licorice-odor complaints that came in from local public schools in the weeks after the Jan. 9 leak of the coal-cleaning chemical Crude MCHM from the Freedom operation. However, the EPA also is acting based on a previous West Virginia Department of Environmental Protection request that federal officials come up with a more comprehensive way of monitoring air quality for MCHM during the dismantling of Freedom's chemical storage tanks, and the cleanup of the Elk River site where the leak occurred, state officials said. Kelley Gillenwater, spokeswoman for the DEP, said that

whatever the EPA comes up with might be something the DEP can use in the future. “Depending on what their recommendations are, we could, potentially, use the standard and the monitoring methods during the spill site cleanup,” Gillenwater said Thursday. DEP officials and investigators from the U.S. Chemical Safety Board have cautioned that the demolition of MCHM storage tanks at the Freedom site could prompt the release of more of the chemical into the air and bring back the licorice-like odors residents became familiar with after the leak. Purchia said the EPA is developing “a health protective inhalation screening level” that may be used, along with information on monitored air concentrations of MCHM, during the site cleanup process “to advise the public when exposure to MCHM is not anticipated to be harmful. “This short-term inhalation screening level for MCHM is not a standard or a regulation,” Purchia said. “This level represents a concentration of MCHM in air where it is not anticipated that health effects would occur if someone were exposed to air concentrations below this level.”

Landfill fighting Hurricane’s MCHM investigation The landfill that accepted 228 tons of MCHM-contaminated wastewater mixed with sawdust generated from the Freedom Industries cleanup doesn’t want to comply with the City of Hurricane’s investigation. On Wednesday, the landfill operator asked a judge to either dismiss the city’s request to enforce an investigative order or grant an order protecting it from the investigation “until a full hearing can be held.” “A court may order that discovery not be had to protect a party from, among other things, undue burden or expense, or annoyance,” Disposal Service stated. In an April 10 emergency meeting, Hurricane City Council launched a legislative investigation of Disposal Service, a Waste Management-owned landfill in the city. After the dump refused on April 18 to allow the city to complete its investigation, particularly by preventing an agent from collecting samples of the contaminated material, the city asked Putnam Circuit Court Judge Phillip Stowers to force Disposal Service to comply. The landfill states in its response that even though it believed the city had no authority for the investigative order, it agreed to allow city agents to perform soil, groundwater, and leachate testing “as a courtesy.” Hurricane and Putnam County officials have expressed concern that leachate — the liquid that seeps out of landfills — could introduce MCHM into the county’s water. Disposal Service said it wouldn’t allow the city to “disturb the lined part of the landfill to sample for the material” for a number of reasons, including concern that disrupting the area would cause health and safety issues. Scott Mandirola, director of the state Department of Environmental Protection’s Division of Water and Waste Management, has said that unburying the material and exposing it to the air again has more potential to cause problems than leaving it alone. In an affidavit, a city agent wrote that he wasn’t allowed to “take samples from any of the landfill cells where the waste is contained.”

Blog: UMWA still ‘scrutinizing’ MSHA respirable dust rule Here’s the latest from the United Mine Workers of America and its president, Cecil Roberts: *The UMWA has received multiple inquiries from the media, industry representatives, government officials and mine safety advocates regarding our views of the respirable dust rule issued by the Mine Safety and Health Administration (MSHA) last week. We appreciate that interest, and we recognize our responsibility as the representative of workers in the coal industry to make our position known. The rule as issued by MSHA is 991 pages long. We are reading all of them, and we encourage those who want to fully understand what the rule does and does not do to read the full text as well. We are engaging in vigorous discussions and data research at our offices in an effort to completely understand how the many parts of this rule will be applied in the workplace.*

CHARLESTON DAILY MAIL

DEP seeks dismissal as defendant The state Department of Environmental Protection wants a federal judge to dismiss it as a defendant in a lawsuit over the Freedom Industries chemical leak. The reason: the DEP claims it didn't have the authority at the time of the leak to regulate aboveground chemical storage tanks. In an April 24 filing, the DEP also claims the plaintiffs failed to give the required notice of their intent to sue. The case is scheduled for a procedural hearing Friday before U.S. District Judge John Copenhaver. Filed by Roger Strickland, Angel Strickland and several others, the lawsuit also lists Freedom Industries, West Virginia American Water Co. and MCHM manufacturer Eastman Chemical Co. as defendants. The lawsuit claims the DEP was responsible for inspecting Freedom's faulty storage tank and failed to identify breaches in it. DEP Secretary Randy Huffman has repeatedly told the media the agency has the authority to visit any site in the state. "I have authority to enter onto any piece of ground in the state of West Virginia, whether it has a permit or not," he told state lawmakers at a January hearing. Evan Hansen, president of environmental consulting service Downstream Strategies, also told lawmakers the DEP had the authority to properly regulate the tanks before the leak. "We have all the tools in place, it's simply been a lack of will at the DEP to use the tools that they already have," Hansen told lawmakers at a January hearing. Recently passed legislation gives the state authority to inspect aboveground tanks, though officials are arguing they lacked that authority on Jan. 9, when thousands of gallons of crude MCHM and other chemical were discovered leaking into the Elk River.

Charleston residents get extra spring clean-up day Charleston residents will receive one spring cleanup day on which the city's refuse department will collect non-traditional refuse items left at the curb. Though cleanups are scheduled for four Mondays between May and June, each neighborhood in the city will only get one cleanup day, scheduling of which is pegged to the normal refuse collection day. Those who normally have trash picked up on Tuesdays will have their cleanup day May 5; those with normal Wednesday pickup will have their cleanup day on May 12; those with normal Thursday pickup will have their cleanup day May 19; and those with Friday pickup will have their cleanup day on June 2. Charleston Mayor Danny Jones said the city will pick up furniture, appliances and other non-traditional garbage. The city will not pick up batteries, toxic substances or paint cans that have not been properly dried. People with used paint cans must treat the cans with kitty litter, sand or another substance that will completely dry any unused paint. The special cleanup collection only applies to regular customers of the city's refuse department, and does not affect regular refuse collection.

BECKLEY REGISTER-HERALD

Drug Take-Back events set record numbers BECKLEY — Each time a Prescription Drug Take-Back event is held, the total collected tops the mark of the previous take-back. The event held last Saturday blew them all out of the water. U.S. Attorney Booth Goodwin and U.S. Drug Enforcement Administration Resident Agent in Charge Suzan Williamson jointly announced Tuesday that Saturday's take-back event collected a total of 6,211 pounds of unwanted, unused and expired prescription drugs from citizens and households across West Virginia. The collection results far surpassed the previous Take-Back record of 4,976 pounds of prescription drugs collected in October 2013. Jason McDaniel, DEA task force officer and Beckley Police Department detective, provided the breakdown of the local poundages and said that this year

they included the Northern Panhandle, which is usually included in Maryland's numbers, adding 650 pounds to the overall state total. This brings it to a staggering 6,861 pounds. "They usually don't include the Northern Panhandle, this year they just included it," McDaniel said. Goodwin said, "The last three Take-Back events have each resulted in record totals of prescription medications collected. Last Saturday, we broke our old record by more than half a ton. My thanks go to the DEA and all of the law enforcement agencies that participated. Most of all, I want to thank the citizens of West Virginia, who've stepped up in tremendous fashion to keep their unwanted prescription medicines out of the wrong hands." Williamson commended all of the federal, state and local law enforcement partners in West Virginia for their assistance. "There were 127 collection sites designated throughout the state for the April 26 event, providing convenient and accessible locations for the citizens of West Virginia to drop off expired, unused and unwanted medications," she said. "It is the assistance of all of our law enforcement partners that continues to make Prescription Drug Take-Back events in West Virginia so successful." In the seven previous Take-Back events, the DEA and its law enforcement partners have collected more than 3.4 million pounds (1,733 tons) of prescription medications nationwide. By removing unwanted prescription medications from American homes, each Take-Back event helps prevent potentially addictive substances from falling into the hands of children and teenagers.

BLUEFIELD DAILY TELEGRAPH

Column: A lot of the past can make a successful transition into the future I'm always amazed by the age of the structures, and a lot of the infrastructure, that still stands in southern West Virginia and Southwest Virginia. I remember one man who recalled how he and his buddies made a special trip to Bluefield so they could ride the elevator of the West Virginia Manor, then the tallest building in the region. In another instance, one of us here at the Bluefield Daily Telegraph once interviewed a man who saw Moe Howard, Moe of the Three Stooges, boarding an elevator at the manor. When you go to most any community in the region, you see structures that had a few years on them when the Titanic was being built. Unlike the legendary and ill-fated ocean liner, they have stood the test of time. In some cases, items built at that time have stood the test a little too long. About 400 feet of water line were dug up and replaced this week in the town of Pocahontas, Va. Vice Mayor Jerry Gravely said it was probably installed in the early 1900s. The Titanic set sail for the first and last time in 1912, so that makes the pipes older than the wreckage slowly disintegrating in the Atlantic Ocean. The town of Bluefield, Va., and the Tazewell County Public Service Authority helped Pocahontas replace these antique lines, so it was good to see cooperation in action.

WHEELING INTELLIGENCER

Bellaire Reveals Water Problem Village sends letters acknowledging lack of disinfectant in drinking water for days in February. BELLAIRE - Bellaire residents were informed by letter this week that an issue occurred with the village's water system in early February, but Bellaire Water Treatment Plant Superintendent John Polston says the village's water supply was never in any danger. "In order to ensure proper disinfection, water in the treatment plant must be in contact with chlorine or a similar disinfectant for a minimum amount of time," the letter to water customer states. "On Feb. 1-4, 2014, this did not occur." The issue pertained to the reporting of "contact time" required by the Ohio Environmental Protection Agency, according to Polston. Contact time is the measurement of time it takes for chlorine or other disinfectants to kill contaminants in water, and the Environmental Protection Agency specifies how long the

disinfectant must be in the water to eliminate specific contaminants. Polston said the village also found contaminants in a water well as they worked to drill a new one, and they had to first test the water to determine what the specific contaminant was before it could be treated. There was a period of uncertainty as to whether the amount of chlorine in the water met EPA standards, and the village was required to inform its water customers. "Everything was fine with the water," Polston said. "There was nothing wrong with water, and it was fine to drink. The only issue was with reporting the contact time. ... There might have been the possibility there was not enough disinfectant in the system (during the days in question.)" Bellaire has installed new intake equipment for its water system. Village workers were in the process of drilling a new well, when the work caused new contaminants to enter the old well. The contaminants were tested and identified as nitrates and nitrites, according to Polston. According to the EPA, these are naturally-occurring chemicals used in fertilizers, in rodenticides (to kill rodents) and as food preservatives. Sodium nitrite is a food additive that is used as a preservative.

ASSOCIATED PRESS (W. VA.)

EPA to gauge safety of inhaling WVa spill chemical CHARLESTON, W.Va. (AP) — More than 100 days after a chemical spill into 300,000 West Virginians' water source, federal officials are trying to determine at what level people can safely breathe the chemical's fumes. Over the next few months, the Environmental Protection Agency will work on detecting the spilled chemical in air and creating a corresponding safety standard for inhaling it, said agency spokeswoman Liz Purchia. It's the first time federal officials will factor in precautions for more than just consuming the water, which was contaminated in a Jan. 9 spill. EPA twice asked about making a standard for inhaling the chemical — once on the day after the spill, and again in early February. Both times, not enough information was available on the little-known substance, crude MCHM, Centers for Disease Control and Prevention spokeswoman Bernadette Burden said. In the two weeks after the spill, people showed up at emergency rooms with ailments after drinking the chemical-tainted water. Patients also experienced health problems after bathing, showering and washing their hands with it. And they expressed concerns after breathing in the licorice chemical scent, such as when taking a shower. State environmental regulators could use the new air monitoring method in a variety of settings: at the Freedom Industries spill site during cleanup; for odor complaints at homes or businesses near MCHM facilities; or at coal prep plants that use the coal-cleaning agent, said state Department of Environmental Protection spokeswoman Kelley Gillenwater. Over the next few months, the Environmental Protection Agency will work on detecting the spilled chemical in air and creating a corresponding safety standard for inhaling it, said agency spokeswoman Liz Purchia. It's the first time federal officials will factor in precautions for more than just consuming the water, which was contaminated in a Jan. 9 spill. EPA twice asked about making a standard for inhaling the chemical — once on the day after the spill, and again in early February. Both times, not enough information was available on the little-known substance, crude MCHM, Centers for Disease Control and Prevention spokeswoman Bernadette Burden said.

MARYLAND

BALTIMORE SUN

Bay crab population decreases Decline in females a concern. The Chesapeake Bay's blue crab population remains at a low level for the second straight year, officials announced Thursday, blaming the severe winter for killing off a large number of the iconic crustaceans. Based on an annual winter-long survey, Maryland and Virginia officials estimated that 297 million crabs survived the frigid season, down slightly from last year's already low tally of 300 million. Overall densities of male and female crabs found in the survey are among the lowest in the last 25 years, data show. Of greatest concern, officials said, the survey found that the number of females has fallen below what scientists consider the safe level to sustain the overall population. Lynn Fegley, deputy fisheries director for the Maryland Department of Natural Resources said that officials believe crabs are down because of the cold weather and possibly other environmental factors, not overfishing. But both Maryland and Virginia plan to seek a 10 percent reduction in the commercial harvest in the coming year, she said, in an attempt to boost reproduction and revive the population. Further catch restrictions, expected by late summer, are likely to drive already steep prices for the popular seafood still higher. Last year's Maryland harvest was the lowest since 1993, Fegley said.

CARROLL COUNTY TIMES

Green efforts lead to North Carroll earning National Green Ribbon honor HAMPSTEAD — Environmental efforts are apparent when walking through the halls of North Carroll High School. A giant showcase highlights information about native plants, recycling containers line the halls and signs on light switches remind people to turn off the lights. Green buckets are in the cafeteria for the collection of compostable food scraps from student lunches. These efforts contributed to North Carroll High School becoming one of two Maryland schools to be named recipients of the U.S. Department of Education's 2014 Green Ribbon Schools Award.

MARYLAND GAZETTE NEWSPAPERS

Bowie road closes after train derailment Bowie residents may have to find an alternate route around Mount Oak Road for the next few days, as the road will close periodically between Nottingham Lane and Driftwood Lane as officials work to clean up a train derailment that occurred early Thursday. Three locomotives and 10 CSX train cars derailed in Bowie between 1:15 and 1:30 a.m. near the Olde Stage Community as the train was traveling southbound to deliver coal, said Mark Brady, Prince George's County Fire/EMS Department spokesman. Some of the coal spilled during the derailment, but none of the three CSX employees on board were injured and no toxic materials, such as fuel, were spilled, Brady said.

SOUTHERN MARYLAND NEWS

Activists to rally in DC against Cove Point expansion In a conference call with more than 150 people from at least four states Monday, the Chesapeake Climate Action Network announced plans to rally July 13 in Washington, D.C., against the proposed export project at Dominion Cove Point. CCAN expects thousands of people to join the rally. Beginning at the Capitol, the crowd will march to the Federal Energy Regulatory Commission building to demand a full environmental impact statement assessing the risks involved with Cove Point's application to become an export facility of liquefied natural gas. "Cove Point is one of the biggest environmental issues, if not the biggest, in the mid-Atlantic region," said Mike Tidwell, the director of CCAN, during the conference call. The rally will come after the expected May 15 release of FERC's environmental assessment on the project. After May 15, FERC will accept

public comments for 30 days, and the commission has informally committed to a public hearing at this time. Tidwell said the hearing will probably be May 31 in Lusby, but no further details are available. "We will be making our voices heard at the May 31 meeting in Lusby," he said. Tidwell said he believes the environmental assessment will be insufficient in addressing the many effects of the plant. FERC has said previously it will determine in its assessment whether an environmental impact statement is needed. Even though the rally will come after the end of the 30-day public comment period, CCAN hopes FERC will extend the comment period to 60 days, said Kelly Trout, CCAN spokesperson. Even if the rally is held after the comment period, Trout said the rally should remind FERC of what its priorities should be as the commission considers the public comments and makes its decision.

Calvert Cliffs Power Plant Unit shuts down during testing Calvert Cliffs Nuclear Power Plant Unit 1 shut down automatically at approximately 10:15 a.m. this morning due to a malfunction that occurred during electrical breaker testing. All safety systems responded as designed and the plant came off-line...

CHESAPEAKE BAY JOURNAL

Survey shows female crab population falls below 'safe' number The number of blue crabs, and female crabs in particular, has continued to decline in the Chesapeake, and fishery managers say findings of their annual survey will likely translate into further catch restrictions this year. The declining number of crabs was also reflected in last year's harvest, which preliminary figures put at 37 million pounds — the lowest on record. The Chesapeake Bay winter dredge survey showed that the number of adult female blue crabs fell to 69 million, slightly less than the 70 million which is considered the minimum "safe" number to maintain the stock. That was also the lowest number seen in the Bay since 2002. Fisheries officials said the drop was caused in part by harsh winter conditions. In Maryland, scientists conducting the survey estimated that the cold killed 28 percent of adult crabs. But the impact of the cold was exacerbated by the few crabs to begin with. A year ago, scientists had found the second lowest number of juvenile crabs in the survey — 111 million — since the first survey in 1990. "The fewer crabs you have when hit with a winter die-off, then the more problematic the die off becomes," said Rob O'Reilly, chief of fisheries management for the Virginia Marine Resources Commission.

VIRGINIA

RICHMOND TIMES-DISPATCH

Spill's effect on James River seen as minimal Concerns have eased over the potential threat of a crude oil spill in Lynchburg to public water supplies in the Richmond area and the ecology of the James River. State officials lowered the estimated loss of oil from the rail tanker cars that derailed Wednesday to 20,000 to 25,000 gallons, or half of the amount originally believed to have poured into the river or burned into the atmosphere from three tanker cars that tumbled into the James in downtown Lynchburg. "Local, state and federal entities are monitoring and sampling the James River for any impacts, and Virginia's drinking water continues to be safe," Gov. Terry McAuliffe said in a statement Thursday evening. Utility officials in Richmond and Henrico County continue to test water quality in the James, on which they rely for public

drinking water, but no sign of oil had turned up on the rain-swollen river here by early Thursday evening. "There's no visible sheen and nothing in the chemical tests," said Robert C. Steidel, director of public utilities in Richmond. "We're testing normal and the water's safe to drink. "It's kind of a non-event right now," Steidel said. In Lynchburg, the National Transportation Safety Board promised answers on the probable cause and lessons of the derailment of the CSX train carrying 105 tanker cars of crude oil from shale fields in North Dakota to Yorktown.

NORFOLK VIRGINIAN-PILOT

Blue crab population pinched by long, cold winter Blame the long, cold winter. Female blue crabs capable of reproducing have fallen below the level state officials consider safe. An annual winter survey released recently by the Virginia Marine Resources Commission estimated 69 million females in the Chesapeake Bay, a notch below the minimum target of 70 million. VMRC Commissioner John M.R. Bull called the figure "disappointing." Management strategies, such as shortening the crabbing season, will be discussed at the agency's June meeting. The last time the number of females fell this low was in 2002, when 55 million were present. The estimates are based on samples from 1,500 sites around the bay. Overall, crabs are at their lowest levels since 2008. Cold water is likely part of the reason, VMRC officials said. On a positive note, juvenile crabs of both sexes were found at higher levels than last year.

CHARLOTTESVILLE DAILY PROGRESS

Waynesboro considers stormwater fee Waynesboro city council members agree that work is needed on the local stormwater system, but the question is how to pay for it. Council members met with city staff for a budget work session on Thursday, debating the proposed \$2.35 monthly stormwater fee recommended by city manager Michael Hamp. There is \$968,927 allotted in the proposed budget to deal with stormwater issues, up from \$407,805 last year. The reason for the 63 percent change is the fact that Waynesboro's system is large enough now to fall under the Federal Clean Water Act, which makes it illegal to allow any pollutants to escape a city or county's stormwater collection system. That's to protect bodies of water like the Chesapeake Bay from pollution. The federal government regulates systems like Waynesboro's, making cities and counties get a permit in order to continue operating. To get a permit, the group applying has to meet several criteria and provide information. "I'm kinda upset that they keep putting stuff on us but don't fund it," said Waynesboro City Council member Frank Lucente, speaking of the federal government. In order to meet requirements for the permit, Waynesboro has to set up a citizen hotline for residents to complain about stormwater issues. The city also has to provide a staff member, whose job is to address those issues. The city also has to start recording the amount of trash picked up by the bulk refuse or "knuckleboom" program, reporting that to the federal government. Additional requirements include things like the Arbor Day planting that took place last month. "There's going to be some added cost in this, [for] staff hours or professional help," Assistant City Manager Jim Shaw told the council. He also cautioned that due to past actions of the city, portions of the stormwater system need to be repaired and some pipes need to be replaced. Over time, trash and grit started to collect in the pipes. In some, cameras found cinder blocks stacked up, blocking some of the water from passing through. Originally, that wasn't the case, as the city had a flush truck to clean those pipes out and staff members to do the work.

LYNCHBURG NEWS AND ADVANCE

Oil estimates reduced, but lengthy cleanup, probe ahead By late afternoon Thursday, cleanup crews on the banks of the James River were slowly hauling up the first of three oil tankers that were sent tumbling into the river in Wednesday's train derailment. CSX, which had cranes and other heavy machinery on site, said most of the overturned rail cars had been "repositioned for removal from the site" by that night and work will continue into today. The National Transportation Safety Board said the cars are being taken to a location where they can be thoroughly examined. The state announced it's estimating that 20,000 to 25,000 gallons of crude oil were released from the tankers that hit the water when a train derailed in downtown Wednesday afternoon. This cuts in half an initial estimate released by local agencies in the immediate wake of the crash. It remains unclear how much of the oil burned up in the fire that ignited, and how much worked its way into the river. Crews and machinery were crawling along the banks of the river all Thursday as respondents worked to right the 13 overturned rail cars that had been carrying crude oil from North Dakota to Yorktown. "It's like an ant hill," said Dave Poole, owner of the Depot Grille, which was taken over as an impromptu command center. "It's just unreal the number of people coming and going, and all this equipment that arrived in a short amount of time."

ASSOCIATED PRESS (VA.)

Derailment clean up begins LYNCHBURG, Va. — Crews used cranes and other heavy equipment Thursday to clean up a derailment that plunged oil-carrying tanker cars into a Virginia river while state officials worked to determine the environmental impact of the thousands of gallons of spilled crude. Department of Environmental Quality spokesman Bill Hayden said state workers smelled oil downstream from the derailment site during a night-time survey. He said daylight would offer state officials a better look at the impact from Wednesday's accident. CSX crews and contractors worked to clear the 13 derailed train cars, some carrying crude oil. Two cranes were lifting derailed cars and moving them to a new track. A few of the train's 105 cars caught fire, with three tanker cars ending up in the water and leaking some of their contents. The National Transportation Safety Board said all of the cars contained crude oil. It was the latest in a string of crashes involving oil trains that has safety experts pushing for better oversight. There have been eight other significant accidents in the U.S. and Canada in the past year involving trains hauling crude oil, according to the NTSB. "This is another national wake-up call," said Jim Hall, a former NTSB chairman said of the Lynchburg crash. "We have these oil trains moving all across the United States through communities and the growth and distribution of this has all occurred, unfortunately, while the federal regulators have been asleep." This is just an area in which the federal rulemaking process is too slow to protect the American people," he said. Nearby buildings in Lynchburg were evacuated for a time, but officials said there were no injuries. Online photos and videos showed large flames and thick, black smoke right after the crash.

MISCELLANEOUS

TIME MAGAZINE

The Seismic Link Between Fracking and Earthquakes New research indicates that wastewater disposal wells—and sometimes fracking itself—can induce earthquakes.v Ohio regulators did

something last month that had never been done before: they drew a tentative link between shale gas fracking and an increase in local earthquakes. As fracking has grown in the U.S., so have the number of earthquakes—there were more than 100 recorded quakes of magnitude 3.0 or larger each year between 2010 and 2013, compared to an average of 21 per year over the preceding three decades. That includes a sudden increase in seismic activity in usually calm states like Kansas, Oklahoma and Ohio—states that have also seen a rapid increase in oil and gas development. Shale gas and oil development is still growing rapidly—more than eightfold between 2007 and 2012—but if fracking and drilling can lead to dangerous quakes, America’s homegrown energy revolution might be in for an early end. But seismologists are only now beginning to grapple with the connection between oil and gas development and earthquakes. New research being presented at the annual meeting of the Seismological Society of America this week shows that wastewater disposal wells—deep holes drilled to hold hundreds of millions of gallons of fluid produced by oil and gas wells—may be changing the stress on existing faults, inducing earthquakes that wouldn’t have happened otherwise. Those quakes can occur tens of miles away from the wells themselves, further than scientists had previously believed. And they can be large as well—researchers have now linked two quakes in 2011 with a magnitude greater than 5.0 to wastewater wells.

BNA DAILY ENVIRONMENT REPORT

U.S. Likely to Leave Much Fossil Fuel in Ground, White House Official Says The U.S. is likely to end up “leaving quite a lot of fossil fuels in the ground” in the long run, the president's science adviser says. John Holdren, who directs the White House Office of Science and Technology Policy, says alternatives to fossil fuels, along with technologies that capture and store the carbon dioxide produced by burning fossil fuels, “are improving at a very rapid rate.”

Reid: Keystone Approval Vote Likely as Senate Moves to Energy Legislation Legislation on approval of the Keystone pipeline is likely to get a standalone vote as part of a deal to pave the way for Senate consideration of energy efficiency legislation, Senate Majority Leader Reid says. “I think there's a 75 to 80 percent chance we can work something out on Keystone,” Reid tells reporters after a caucus meeting with Senate Democrats.

Investors Brush Off Supreme Court's Decision on EPA Air Rules Investors in coal-burning utilities are brushing off a decision by the U.S. Supreme Court this week that gave federal regulators more power to control air pollution. Time, they say, is on their side. It will be years more before utilities feel any pain from new rules as companies, lawyers and regulators wrangle over how to apply restrictions and fresh legal challenges work their way through lower courts.

EPA Official's Misconduct Said to Enable Parts of John Beale's Fraud A senior EPA official's misconduct enabled convicted felon John Beale to commit fraud involving work time, attendance

and air travel, an Office of the Inspector General report finds. Beth Craig, who currently serves as the head of Climate Protection Partnerships in the agency's Office of Air and Radiation, “did not exercise due diligence” when reviewing Beale's time, attendance and travel vouchers, according to the report obtained by Bloomberg BNA.

GREENWIRE

AIR POLLUTION: Former EPA senior policy counsel Sussman discusses agency's challenges to meeting existing source rule deadline With recent budget and personnel changes at U.S. EPA, does the agency have adequate resources in place to meet President Obama's aggressive Climate Action Plan deadlines? During today's OnPoint, Robert Sussman, former senior policy counsel at EPA, discusses the future of the existing source standard and subsequent state planning. Sussman also explains how this week's Supreme Court ruling on EPA's Cross-State Air Pollution Rule could foreshadow the court's future consideration of Clean Air Act cases.[Click here](#) to watch today's OnPoint.